

AMENDED

NEW HAMPSHIRE STATE BUILDING CODE REVIEW BOARD

Minutes of Meeting

October 10, 2003

Attendance:

Robert Clegg, Chairman, Department of Safety
Tyler Carlisle, Board of Engineers, licensed electrical engineer
Jerry Tepe, Board of Architects, licensed architect
James Petersen, PE, Board of Engineers, licensed mechanical engineer
Tedd Evans, Board for licensing and regulation of plumbers, licensed master plumber
John Tuttle, NH Home Builders Association, Architectural designer – residential
Medard Kopczynski, NH Municipal Association
Fred Baybutt, Associated General Contractors, residential buildings
Michael Santa, CBO, Governor's Commission on Disability, Architectural barrier/free design
Kenneth Andrews, NH Building Officials Association, municipal building official
Bob Longchamps, NH Electrical Contractors Business Association, Licensed master electrician
Wes Golomb, State energy conservation code office
Rick Swain, NH Plumbing & Mechanical Contractors Assoc., mechanical contractor, business

Guests:

Marta Modigliani, Attorney, Department of Safety, Office of the Commissioner
Donald Bliss, Fire Marshal, Dept of Safety, Division of Fire Safety and Emergency Management

With a quorum of the Board present, Chairman Clegg so declared and called the meeting to order at 10:05. Notice of the meeting was posted at the Department of Safety and State House, the State Fire Academy, the New Hampshire Rule Making Register and the Legislative Office Building a minimum of 2 weeks prior to scheduled meeting date.

Chairman Clegg welcomed James Petersen to the Board to represent the Board of Engineers as a licensed mechanical engineer.

BOARD MEETING

Adoption of Minutes of September 12, 2003:

Motion was made by Tyler Carlisle to accept the minutes as printed and placed on file. Motion was duly **seconded**. Chairman Clegg asked for a vote. Vote was affirmative. And so declared.

OLD BUSINESS:

Section of revised NH Fire Code should have been deleted:

Jerry Tepe stated that these changes should have been incorporated into the Bcr Rules. Marta Modigliani reported that the Public Hearing was done for the NH Fire Code, and they are in the process of fixing the Final Proposed Rules with comments from the State Building Code. Jerry reported that they had 2 separate things. The first being: Saf-C 6008.06 single family and 2 family dwellings that were still referenced to that in the Fire Code, and the use group reference of R-3 and R-4 that were in there referred to the old BOCA building code and were not appropriate to the International Building Code. It is suggested that that section be deleted. The second being: a personal nature, the objection to the inclusion of the revised Height and Area table into

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the Fire Code, didn't see where it was necessary since they are in the Building Code, and where the Fire Marshal has the authority to enforce that part of the Building Code. It was just a duplication. Did not want to create a conflict with the two codes. Med Kopczynski reported that he agreed with Mr. Tepe, that if it's included in the State Building Code, there could be no plausible reason why it would have to be in there. Ken Andrews agreed with Med. Med Kopczynski made the **motion** that section 6008.05 be stricken from the proposed Rules. **Motion** was **seconded** by Ken Andrews. There being no further discussion, Chairman Clegg asked for a vote. Vote was unanimous and so declared by the Chair.

Modular Building Code (Saf-C 3300):

Marta reported that November 17th is the filing for the final proposal. Tedd Evans wanted to get the general consensus cleared up on this issue. The industry is asking for an exception based wholly on cost, without any basis for safety issue(s). Mike Santa asked to have this issue reviewed. Chairman Clegg gave the basic run-down as follows: the Fire Marshal office came in and wanted a change in the stairway geometry for modular homes, based on the ability to carry them across the roads in the state. Ken Andrews said that he has sat on a few Boards and Committees over his many years, and this has been the topic of discussion on many of them, each time, there is not a discussion or concern with Safety, it was an economic issue. Tyler Carlisle stated he thought that this proposal was only going to apply to the narrower, 24 foot wide units. Don Bliss stated that Mr. Carlisle was correct. Jerry Tepe stated that the Modular Home Industry, made numerous presentations to the code development boards at the National level over a period of years, and has consistently NOT prevailed in their request to change this in the National Code. They have failed to make their case, even when limiting it the smaller units. He suggested that if the Board chooses to go forward with this proposal, he would want it only for those smaller units, and that some time frame be put on it to be reviewed again, not to be an open-ended exemption. Med Kopczynski asked Don Bliss if this would not create a conflict with 101. Don Bliss stated that in terms of stair geometry, yes, but the amendment the way it was written, it would also effect that as well. Wes Golomb asked if there were any studies that document the potential safety problems with the stair geometry? Don Bliss stated yes there was. Mike Santa reported that he has witnessed Jake Paul, the stair experts, testifying on how unsafe the 8 ¼ - 9 stairs are, and his studies went back forever. He is considered an expert witness on egress stairs, etc., and that the City of Nashua is on record that they are NOT accepting the 8 ¼ - 9 stairs. It does not make sense to have two standards. It does not seem to be an issue. Chairman Clegg said that this Board does not have jurisdiction over 1 and 2 family homes. Jerry Tepe supports giving the Commissioner the right to modify. Jerry made a motion that the Board support the Commissioners efforts in seeking legislation to give him the authority to modify the IRC as regards modular housing, with the understanding that any modifications will come forward to Rule making and the Board will have the chance to comment on it then. Rick Swain **seconded** the **motion**. Med asked if the language for the legislative change was available. Chairman Clegg answered no. Chairman Clegg asked for a vote by show of hands. Majority of vote was in the affirmative and so declared. Med stated the reason for the negative vote was that he wanted to see the language before supporting the **motion**.

Board vote was taken to accept. **Vote was in the affirmative.** So declared by the Chair.

Approval of final proposal – Bcr 100:

There being no comments, Chairman Clegg took a **motion** from Rick Swain to accept the final proposal – Bcr 100. **Motion** was **seconded** by Jerry Tepe. There being no discussion, the Chairman asked for a vote. Vote was in the affirmative and so declared.

Approval of final proposal – Bcr 200:

Chairman Clegg accepted a **motion** by Med Kopczynski to accept the final proposal – Bcr 200. **Motion** was **seconded** by Ken Andrews. There being no discussion, the Chairman asked for a vote. Vote was in the affirmative and so declared.

Questions being submitted to Building Code Website:

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Chairman Clegg explained to the Board that the website is getting questions, some specific, and asked for volunteers to accept those question by email to be answered.

- Tyler Carlisle and Bob Longchamps – will handle anything electrical related
- Tedd Evans and Rick Swain – will handle anything plumbing related
- Ken Andrews and Mike Santa – will handle anything that comes from actual building officials
- Wes Golomb and James Petersen – will handle anything energy codes
- Med Kopczynski and John Tuttle – will handle anything from City officials
- Don Bliss – will still handle anything Life Safety Code or Fire Code

Evvy will forward email questions to volunteers for answers, and answers will be sent as a “cc” to all Board members. There will be a disclaimer on each email sent out.

Q&A for web-site additions:

Tedd Evans passed around a DRAFT of additional questions and answers. Tedd will email the DRAFT copy to all Board members for their review prior to next months meeting. Chairman Clegg tabled this item until next month.

Proposed draft Energy Code rules:

Wes Golomb asked if there was any way to combine the 2 separate public hearings. Chairman Clegg answered by saying no. If Wes can get everything to the Board members, for the window of 20 days for Rulemaking, he will.

OTHER BUSINESS

Jerry Tepe asked that the Board go on record that we thank John Stephen for his assistance and guidance during our formative years, and we wish him well as the new Commissioner of Health and Human Services. Chairman Clegg will send an ‘official’ letter to Commissioner Stephen.

Ken Andrews asked that the Board go on record that we thank Don Bliss as our Fire Marshal and his Department and staff, and all that they have done to make this Board possible, a reality after 25 years. Don Bliss thanked the Board. It has given him the opportunity to do the things he loves doing. He has a great team working with him and for him.

Marta informed the Board that the Website was up and running.

Motion was made to adjourn, and duly seconded. There being no objection, Chairman Clegg asked for a vote. Vote was unanimous and declared meeting adjourned.